



July 30, 2008

Mr. Chad A. Stobbe  
Land Quality Bureau  
Iowa Department of Natural Resources  
502 East 9<sup>th</sup> Street  
Wallace State Office Building  
Des Moines, Iowa 50319

Dear Mr. Stobbe:

It's come to my attention that the Iowa DNR wishes to eliminate the Chapter 121 regulations because IDNR feels that the land application of solid waste is considered disposal and not a beneficial use. Our experience over the years of land applying our solid wastes on agricultural land has been very positive not only for us but for the farmers who have received it. Currently, we are land applying our waste solids using a fertilizer license from the Department of Agriculture but if the quantity of waste were a greater volume, we would definitely want to apply for a permit under the 121 rules.

The Iowa Department of Agriculture has strict guidelines for storing material and requires expensive storage structures that would make it impractical to operate. The Chapter 121 rules allow storage on the edge of spreading sites if certain safeguards are in place and many other rules are followed. If forced to use the fertilizer regulations, we would have to landfill the material instead. The cost of constructing concrete floored storage areas with roofs would be incredibly expensive.

For the past 16 years we have successfully land applied our waste solids under a permit utilizing the Chapter 121 rules and only a couple years ago did we switch to a fertilizer license. The farmers really like our by-product waste because of its nutrient content for their crops. We do not want these regulations removed because we will probably need them in the future for other beneficial byproducts.

Respectfully,

Otto Rajtora  
Manager, Environmental Affairs  
Penford Products Co.

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